

JOINT RULES RESOLUTION ESTABLISHING INTERIM**COMMITTEE RULES**

2019 GENERAL SESSION

STATE OF UTAH

LONG TITLE**General Description:**

This joint rules resolution establishes rules governing legislative committees that meet during the interim.

Highlighted Provisions:

This resolution:

- ▶ defines terms;
- ▶ establishes interim committees and provides for the appointment of interim committee members and interim committee chairs;
- ▶ creates procedural rules for legislative committees that are not standing committees, including requirements related to quorum, voting, meeting location, meeting date, meeting time, order of business, and motions;
- ▶ provides the powers and duties of a chair;
- ▶ addresses the powers and duties of an interim committee, including the process by which an interim committee receives study assignments and the manner in which an interim committee reports on the results of its studies;
- ▶ provides that a legislative committee may open one or more committee bill files and adopt one or more committee bills;
- ▶ allows a legislative committee to hold an electronic meeting;
- ▶ authorizes a legislative committee to create one or more subcommittees;
- ▶ addresses the manner in which a legislative committee considers draft legislation;
- and
- ▶ makes technical and conforming changes.

Special Clauses:

None

Legislative Rules Affected:

32 AMENDS:

33 **JR1-1-102**

34 **JR4-2-102**

35 ENACTS:

36 **JR7-1-101**

37 **JR7-1-102**

38 **JR7-1-201**

39 **JR7-1-202**

40 **JR7-1-203**

41 **JR7-1-204**

42 **JR7-1-301**

43 **JR7-1-302**

44 **JR7-1-303**

45 **JR7-1-304**

46 **JR7-1-305**

47 **JR7-1-306**

48 **JR7-1-307**

49 **JR7-1-308**

50 **JR7-1-309**

51 **JR7-1-310**

52 **JR7-1-311**

53 **JR7-1-312**

54 **JR7-1-401**

55 **JR7-1-402**

56 **JR7-1-403**

57 **JR7-1-404**

58 **JR7-1-405**

59 **JR7-1-406**

60 **JR7-1-407**

61 **JR7-1-408**

62 **JR7-1-409**

63 **JR7-1-410**
64 **JR7-1-411**
65 **JR7-1-501**
66 **JR7-1-502**
67 **JR7-1-503**
68 **JR7-1-504**
69 **JR7-1-505**
70 **JR7-1-506**
71 **JR7-1-507**
72 **JR7-1-508**
73 **JR7-1-509**
74 **JR7-1-510**
75 **JR7-1-511**
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86 **JR7-1-610**
87 **REPEALS:**
88 **IR1-1-101**
89 **IR1-1-201**
90 **IR1-1-202**
91 **IR1-1-203**
92 **IR2-1-101**
93 **IR2-1-102**

94 **IR2-2-101**
95 **IR2-2-102**
96 **IR2-2-103**
97 **IR2-2-104**
98 **IR3-1-101**
99 **IR3-1-102**
100 **IR3-1-103**
101 **IR3-1-104**
102 **IR3-1-105**
103 **IR3-2-101**
104 **IR3-2-102**
105 **IR3-2-201**
106 **IR3-3-101**
107 **IR3-3-102**
108 **IR3-3-103**
109 **IR3-3-201**
110 **IR3-4-101**
111 **IR3-4-102**
112 **IR3-4-103**
113 **IR3-4-104**
114 **IR3-4-105**
115 **IR3-4-201**
116 **IR3-4-202**

117

118 *Be it resolved by the Legislature of the state of Utah:*

119 Section 1. **JR1-1-102** is amended to read:

120 **JR1-1-102. Adoption of legislative rules.**

121 (1) (a) At the beginning of each legislative session, the Legislature shall adopt Joint
122 Rules [~~and the Interim Rules~~] by a constitutional two-thirds vote of all senators and
123 representatives.

124 (b) Except as provided in Subsection (1)(c), after the initial adoption of Joint [~~and~~

Interim] Rules, the Legislature may adopt additional Joint [and Interim] Rules or amend or repeal existing Joint [or Interim] Rules by a constitutional majority vote.

(c) The Legislature may adopt or amend a Joint [or Interim Rule] Rule that includes a voting requirement of more than a constitutional majority only by a constitutional two-thirds vote of all senators and representatives.

(2) The Senate and House Rules Committees shall:

(a) meet before each annual general session of the Legislature convenes;

(b) review Joint Rules [and Interim Rules]; and

(c) recommend to the Legislature any modifications that they consider necessary.

Section 2. **JR4-2-102** is amended to read:

JR4-2-102. Drafting and prioritizing legislation.

(1) As used in this section, "interim committee" means a committee established under [IR1-1-201] JR7-1-201.

(2) (a) Requests for legislation shall be drafted on a first-in, first-out basis, except for legislation that is prioritized under the provisions of this section.

(b) [The] When sufficient drafting information is available, the following requests for legislation shall be drafted before other requests for legislation [when sufficient drafting information or sponsor instruction is available], in the following order of priority:

(i) a committee bill file, as defined in JR7-1-101; and

[(i)] (ii) a request for legislation that is prioritized by a legislator under Subsection (3); and]

[(ii) a request for legislation that is adopted as a committee bill by an interim committee as follows:]

[(A) a member of the interim committee makes a motion to open a new request for legislation to be sponsored by the committee or to convert an existing request for legislation to committee-sponsored legislation;]

[(B) the interim committee adopts the motion by a majority vote after a description or discussion of the general subject matter of the legislation;]

[(C) the subject matter of the legislation is germane to the oversight assignment of the interim committee; and]

[(D) the interim committee intends to take action on the legislation in a meeting of the

156 ~~committee held before the next general session.]~~

157 ~~[(c) (i) Except as permitted under IR2-2-103(3), the committee may not delegate the~~
158 ~~authority to designate committee bills on behalf of an interim committee under Subsection~~
159 ~~(2)(b)(ii) to committee chairs or any other subset of the membership of an interim committee.]~~

160 ~~[(ii) During the interim, the drafting of committee bills that are adopted under~~
161 ~~Subsection (2)(b)(ii), and for which sufficient drafting information is available, shall take~~
162 ~~precedence in drafting priority over bills that have been prioritized by an individual legislator~~
163 ~~under Subsection (2)(b)(i).]~~

164 (3) (a) Beginning on the first day on which a request for legislation may be filed under
165 JR4-2-101, a legislator may designate up to three requests for legislation as priority requests
166 subject to the following deadlines:

167 (i) priority request number one must be requested on or before the first Thursday in
168 December, or the following business day if the first Thursday falls on a holiday;

169 (ii) priority request number two must be requested on or before the first Thursday in
170 January, or the following business day if the first Thursday falls on a holiday; and

171 (iii) priority request number three must be requested on or before the first Thursday of
172 the annual general session.

173 (b) A legislator who fails to make a priority request on or before a deadline loses that
174 priority request. However, the legislator is not prohibited from using any remaining priority
175 requests that are associated with a later deadline, if available.

176 (c) A legislator who begins serving after a deadline has passed is entitled to use only
177 those priority requests that are available under an unexpired deadline.

178 (d) A legislator may not designate a request for legislation as a priority request unless
179 the request:

180 (i) provides specific or conceptual information concerning the change or addition to
181 law or policy that the legislator intends the proposed legislation to make; or

182 (ii) identifies the specific situation or concern that the legislator intends the legislation
183 to address.

184 (4) A legislator may not:

185 (a) revoke a priority designation once it has been requested;

186 (b) transfer a priority designation to a different request for legislation; or

(c) transfer a priority designation to another legislator.

(5) Except as provided under JR4-2-502 or as otherwise provided in these rules, the Office of Legislative Research and General Counsel shall:

(a) reserve as many bill numbers as necessary to number the bills recommended by an interim committee; and

(b) number all other legislation in the order in which the legislation is approved by the sponsor for numbering.

Section 3. **JR7-1-101** is enacted to read:

TITLE 7. INTERIM

CHAPTER 1. INTERIM AND SPECIAL COMMITTEES

Part 1. General Provisions

JR7-1-101. Definitions.

(1) "Anchor location" means the physical location from which:

(a) an electronic meeting originates; or

(b) the participants are connected.

(2) "Bill" means the same as that term is defined in JR4-1-101.

(3) "Chair" except as otherwise expressly provided, means:

(a) the member of the Senate appointed as chair of an interim committee by the president of the Senate under JR7-1-202;

(b) the member of the House of Representatives appointed as chair of an interim committee by the speaker of the House of Representatives under JR7-1-202;

(c) a member of a special committee appointed as chair of the special committee; or

(d) a member of a legislative committee designated by the chair of the legislative committee under Subsection (3)(a), (b), or (c) to act as chair under JR7-1-202.

(4) "Committee bill" means draft legislation that receives a favorable recommendation.

(5) "Committee bill file" means a request for legislation made by:

(a) a majority vote of a legislative committee; or

(b) the chairs of an interim committee, if the interim committee authorizes the chairs to open one or more committee bill files in accordance with JR7-1-602.

(6) "Committee note" means a note that the Office of Legislative Research and General Counsel places on legislation in accordance with JR4-2-401.

(7) "Draft legislation" means a draft of a bill or resolution before it is numbered by the Office of Legislative Research and General Counsel.

(8) "Electronic meeting" means a public meeting of a legislative committee that is partially convened or conducted by means of a voice telephone or computer web or video conference.

(9) "Electronic notice" means electronic mail or fax.

(10) "Favorable recommendation" means an action of a legislative committee by majority vote to favorably recommend legislation.

(11) "Legislative committee" means:

(a) an interim committee; or

(b) a special committee.

(12) "Interim committee" means a committee created under JR7-1-201.

(13) "Legislative sponsor" means:

(a) for a committee bill file, the chairs of the legislative committee that opened the committee bill file or the chairs' designee; or

(b) for a request for legislation that is not a committee bill file, the legislator who requested the request for legislation or the legislator's designee.

(14) "Majority vote" means:

(a) with respect to an interim committee, an affirmative vote of at least 50% of a quorum of members of the interim committee from one chamber and more than 50% of a quorum of members of the interim committee from the other chamber; or

(b) with respect to a special committee, an affirmative vote of more than 50% of a quorum.

(15) "Mixed special committee" means a special committee that is composed of one or more members who are legislators and one or more members who are not legislators.

(16) "Monitor" means to:

(i) hear live, by speaker, or by other equipment, all of the public statements of each member of the legislative committee who is participating in a meeting; or

(ii) see and hear, by computer screen or other visual medium, all of the public statements of each member of the legislative committee who is participating in a meeting.

(17) "Original motion" means a nonprivileged motion that is accepted by the chair

when no other motion is pending.

(18) "Participate" means the ability to communicate with all of the members of a legislative committee, either verbally or electronically, so that each member of the legislative committee can hear or see the communication.

(19) "Pending motion" means a motion described in JR7-1-307.

(20) "Privileged motion" means a motion to adjourn, set a time to adjourn, recess, end debate, extend debate, or limit debate.

(21) "Public statement" means a statement made in the ordinary course of business of a legislative committee with the intent that all other members of the legislative committee receive it.

(22) "Remote location" means a location other than the anchor location from which a member of a legislative committee may participate in the meeting.

(23) "Request for legislation" means the same as that term is defined in JR4-1-101.

(24) "Resolution" means the same as that term is defined in JR4-1-101.

(25) (a) "Special committee" means a committee, commission, or task force that is:

(i) created by legislation; and

(ii) staffed by:

(A) the Office of Legislative Research and General Counsel; or

(B) the Office of the Legislative Fiscal Analyst.

(b) "Special committee" does not include:

(i) an interim committee;

(ii) a standing committee created under SR3-2-201 or HR3-2-201; or

(iii) a Senate confirmation committee described in SR3-3-101 or SR3-3-201.

(26) "Subcommittee" means a subsidiary unit of a legislative committee formed in accordance with JR7-1-411.

(27) "Substitute motion" means a nonprivileged motion that a member of a legislative committee makes when there is a nonprivileged motion pending.

Section 4. **JR7-1-102** is enacted to read:

JR7-1-102. Application of rules for special committees -- Priority in the event of conflict.

If a provision of this chapter conflicts with a provision in legislation or rule that is

specific to a special committee, the provision in the legislation or rule that is specific to the special committee controls.

Section 5. **JR7-1-201** is enacted to read:

Part 2. Creation and Organization of Legislative Committees

JR7-1-201. Interim committees -- Creation.

There are created the following interim committees:

- (1) Business and Labor Interim Committee;
- (2) Economic Development and Workforce Services Interim Committee;
- (3) Education Interim Committee;
- (4) Government Operations Interim Committee;
- (5) Health and Human Services Interim Committee;
- (6) Judiciary Interim Committee;
- (7) Law Enforcement and Criminal Justice Interim Committee;
- (8) Natural Resources, Agriculture, and Environment Interim Committee;
- (9) Political Subdivisions Interim Committee;
- (10) Public Utilities, Energy, and Technology Interim Committee;
- (11) Retirement and Independent Entities Interim Committee;
- (12) Revenue and Taxation Interim Committee; and
- (13) Transportation Interim Committee.

Section 6. **JR7-1-202** is enacted to read:

JR7-1-202. President and speaker to appoint legislative committee members and chairs.

- (1) The president of the Senate shall appoint:
 - (a) one or more senators to each legislative committee; and
 - (b) one senator to serve as a chair of each legislative committee.
- (2) The speaker of the House of Representatives shall appoint:
 - (a) one or more representatives to each legislative committee; and
 - (b) one representative to serve as a chair under each legislative committee.
- (3) A chair may designate a member of the legislative committee to act as a chair for all or part of a legislative committee meeting if neither chair is present at the meeting.

Section 7. **JR7-1-203** is enacted to read:

JR7-1-203. Quorum requirements.

(1) Except as provided in Subsection (2) and subject to the other provisions of this rule, a quorum of a legislative committee:

(a) is at least 50% of the members of the legislative committee from one chamber and more than 50% of the members of the legislative committee from the other chamber; and

(b) notwithstanding Subsection (2) or (3), shall include at least one member of the legislative committee from the Senate.

(2) A quorum of a mixed special committee is:

(a) at least 50% of the legislator members of the mixed special committee from one chamber and more than 50% of the legislator members of the mixed special committee from the other chamber; and

(b) more than 50% of the nonlegislator members of the mixed special committee.

(3) If a member of a legislative committee does not attend two consecutive meetings of the legislative committee in a calendar year, the member is not counted for purposes of determining a quorum for the remainder of the calendar year, unless the member is present at the meeting when the action requiring a quorum occurs.

(4) The following individuals are not counted for purposes of determining a quorum, unless the member is present at the legislative committee meeting when the action requiring a quorum occurs:

(a) a member of the Legislative Management Committee;

(b) the Senate chair and vice chair of the Executive Appropriations Committee;

(c) the House chair and vice chair of the Executive Appropriations Committee;

(d) the chair of the Senate Rules Committee;

(e) the chair of the House Rules Committee;

(f) the fourth member of leadership from the minority party in the Senate; and

(g) the fourth member of leadership from the minority party in the House of Representatives.

Section 8. **JR7-1-204** is enacted to read:

JR7-1-204. Committee order of business.

Unless a chair, or the legislative committee by majority vote, determines otherwise, the order of business for a legislative committee is:

- (1) call to order;
(2) approval of the minutes of the immediately preceding meeting;
(3) brief description of each item on the agenda;
(4) announcement of any time restrictions, subject to JR7-1-305;
(5) consideration of legislative committee business for the meeting; and
(6) adjournment.

Section 9. **JR7-1-301** is enacted to read:

Part 3. Duties of Legislative Committee Chairs

JR7-1-301. Chairs to enforce legislative rules and procedures.

Each chair is responsible for ensuring the integrity of the committee process by enforcing legislative rules and parliamentary procedure without delay.

Section 10. **JR7-1-302** is enacted to read:

JR7-1-302. Chairs to preserve order -- Powers to preserve order.

(1) A chair shall preserve order and decorum during a meeting of the legislative committee by:

- (a) controlling outbursts or demonstrations; and
(b) ensuring that each legislative committee member, presenter, witness, or visitor acts in a dignified and respectful manner.

(2) To preserve order and decorum, a chair may:

- (a) remove from the meeting room any individual who engages in disorderly conduct;
(b) recess a meeting of the legislative committee; or
(c) request assistance from the Utah Highway Patrol.

Section 11. **JR7-1-303** is enacted to read:

JR7-1-303. Chairs to set agenda.

Subject to the other provisions of this chapter, including JR7-1-401 and JR7-1-402, the agenda for a legislative committee meeting shall be set by the chairs of the legislative committee.

Section 12. **JR7-1-304** is enacted to read:

JR7-1-304. Chairs to post notice and agenda.

The chairs of each legislative committee shall cause a public notice and agenda for each meeting of the legislative committee to be posted at least 24 hours before the meeting as

required by Utah Code, Title 52, Chapter 4, Open and Public Meetings Act.

Section 13. **JR7-1-305** is enacted to read:

JR7-1-305. Chairs may direct order of agenda -- Time restrictions.

A chair, or a legislative committee by majority vote, may adopt one or more committee procedures or time restrictions related to the manner in which the legislative committee hears the items on an agenda, including:

(1) directing the order of the agenda;

(2) directing the order in which the legislative committee hears a witness or presenter;

(3) directing the number of witnesses or presenters that the legislative committee hears;

or

(4) limiting the time the legislative committee spends:

(a) on an item on an agenda; or

(b) hearing from a witness or presenter.

Section 14. **JR7-1-306** is enacted to read:

JR7-1-306. Chairs to recognize committee members.

A chair shall recognize any member of the legislative committee who desires to speak on a subject that is under consideration by the legislative committee.

Section 15. **JR7-1-307** is enacted to read:

JR7-1-307. Chairs to accept all motions that are in order.

(1) A chair shall accept any motion made by a member of the legislative committee who the chair has recognized, unless the motion is prohibited by this chapter.

(2) To accept a motion, the chair shall restate the motion.

(3) If a chair accepts a motion, the motion is pending.

Section 16. **JR7-1-308** is enacted to read:

JR7-1-308. Chairs to allow response to motions before placing motions for a vote.

After a chair accepts a motion and before the chair places the motion for a vote, the chair shall allow:

(1) any member of the legislative committee to ask one or more questions about the motion of the member who made the motion;

(2) members of the legislative committee to debate the motion;

(3) if the legislative committee is considering draft legislation, the legislative sponsor to respond to the motion; and

(4) the member of the legislative committee who made the motion to provide a summation on the motion.

Section 17. **JR7-1-309** is enacted to read:

JR7-1-309. Chairs to place motions for vote.

Unless withdrawn in accordance with JR7-1-508, the chair shall place a pending motion for a vote after the member of the legislative committee who made the motion provides a summation on the motion or waives the opportunity to provide a summation on the motion.

Section 18. **JR7-1-310** is enacted to read:

JR7-1-310. Chairs to verbally announce vote on motions -- Motions pass with majority vote.

After a legislative committee votes on a motion, the chair shall:

(1) determine and verbally announce whether the motion passed or failed; and

(2) unless the vote on the motion is unanimous, verbally identify by name each committee member who voted "yes" or each committee member who voted "no."

Section 19. **JR7-1-311** is enacted to read:

JR7-1-311. Chairs may direct a roll call vote.

A chair, or the legislative committee by majority vote, may require a roll call vote.

Section 20. **JR7-1-312** is enacted to read:

JR7-1-312. Chairs to ensure integrity of minutes -- Retention of minutes -- Content requirements.

(1) Each chair shall:

(a) cause a draft of the minutes of the chair's legislative committee to be available for each member of the legislative committee to review before the legislative committee approves the minutes; and

(b) ensure that the minutes of each meeting of the legislative committee include:

(i) each item required by Utah Code Title 52, Chapter 4, Open and Public Meetings Act; and

(ii) each motion, point of order, or appeal of a decision on a point of order.

(2) The Office of Legislative Research and General Counsel shall retain a physical or

electronic copy of the minutes for each meeting of a legislative committee for three years.

Section 21. **JR7-1-401** is enacted to read:

Part 4. Powers and Duties of Legislative Committees

JR7-1-401. Interim committees to receive study assignments.

(1) Each interim committee shall:

(a) study issues assigned:

(i) by passed legislation; or

(ii) the Legislative Management Committee; and

(b) review programs and hear reports as required by statute.

(2) Each interim committee may:

(a) investigate and study possibilities for improvement in government services within its subject area;

(b) receive research reports from interim committee staff pertaining to the interim committee's study agenda;

(c) request testimony from government officials, private organizations, or members of the public on issues being studied by the interim committee;

(d) make recommendations to the Legislature for legislative action; or

(e) prepare one or more committee bills based on the interim committee's studies.

(3) During the interim committee's first meeting of each calendar year, the interim committee:

(a) shall review the interim committee's study items described in Subsection (1)(a);

(b) may, by majority vote, modify or add to the study items described in Subsection (1)(a), provided any modification or addition is within the interim committee's subject area; and

(c) shall adopt the study items described in Subsection (1)(a), with any modifications or additions, by majority vote.

Section 22. **JR7-1-402** is enacted to read:

JR7-1-402. Review of audit reports.

If a legislative committee receives an audit report from the Audit Subcommittee of the Legislative Management Committee for review, the legislative committee shall:

(1) review the audit report and make an affirmative decision whether each

recommendation in the audit report should be implemented;

(2) if necessary, open a committee bill file to implement any recommendation the legislative committee recommends the Legislature implement; and

(3) recommend an appropriation to the Executive Appropriations Committee, if appropriate.

Section 23. **JR7-1-403** is enacted to read:

JR7-1-403. Review rules referred by Administrative Rules Review Committee.

If a legislative committee receives an administrative rule for review from the Administrative Rules Review Committee, the legislative committee may:

(1) review the administrative rule; and

(2) (a) recommend to the Administrative Rules Review Committee whether the Legislature should reauthorize the administrative rule; or

(b) decide whether to recommend any related statutory change to the Legislature.

Section 24. **JR7-1-404** is enacted to read:

JR7-1-404. Location of interim committee meetings -- Additional meetings.

(1) Unless approved by the Legislative Management Committee, an interim committee shall meet at the time and in the room assigned by the Legislative Management Committee.

(2) Notwithstanding Subsection (1), a chair of an interim committee may start a meeting of the interim committee earlier or end a meeting of the interim committee later than the time assigned by the Legislative Management Committee if:

(a) the chair complies with:

(i) Utah Code Title 52, Chapter 4, Open and Public Meetings Act; and

(ii) JR7-1-405; and

(b) the meeting does not interfere with a caucus meeting.

Section 25. **JR7-1-405** is enacted to read:

JR7-1-405. Prohibited meeting times -- Exceptions.

(1) A legislative committee may not meet:

(a) while the Senate or the House of Representatives is in session, unless the meeting is approved by:

(i) the president of the Senate and the speaker of the House of Representatives; or

(ii) (A) a majority vote of the Senate; and

496 (B) a majority vote of the House of Representatives; or

497 (b) except as provided in Subsection (2), during the period that begins January 1 and
498 ends the day after the day on which the Legislature adjourns that year's general session sine die.

499 (2) Subsection (1)(b) does not apply to:

500 (a) a meeting of the Administrative Rules Review Committee for the purpose of
501 considering draft legislation reauthorizing agency rules in accordance with Utah Code Section
502 63G-3-502; or

503 (b) the Legislative Process Committee.

504 (3) An action of a legislative committee that occurs during a meeting that violates this
505 rule is invalid.

506 Section 26. **JR7-1-406** is enacted to read:

507 **JR7-1-406. Closed legislative committee meetings.**

508 A meeting of a legislative committee is open to the public unless closed in accordance
509 with Utah Code Title 52, Chapter 4, Open and Public Meetings Act.

510 Section 27. **JR7-1-407** is enacted to read:

511 **JR7-1-407. Electronic legislative committee meetings.**

512 (1) A chair may, by following the procedures and requirements of this rule, convene
513 and conduct an electronic meeting of a legislative committee.

514 (2) (a) A member of a legislative committee who will be more than 50 miles away
515 from the anchor location on the day and at the time of a scheduled meeting of the legislative
516 committee may request that the chair allow the member to participate from a remote location.

517 (b) If a member of a legislative committee wishes to participate in a meeting of the
518 legislative committee from a remote location, the member shall, at least three days before the
519 meeting, contact the chair and request that the chair convene and conduct an electronic
520 meeting.

521 (c) After receiving the request, the chair shall:

522 (i) determine whether the member will be more than 50 miles away from the anchor
523 location on the day and at the time of the scheduled meeting;

524 (ii) if chair determines that the member will be more than 50 miles away from the
525 anchor location on that day and time, consult with committee staff to determine whether there
526 are sufficient equipment and connections to allow the member to participate from a remote

527 location; and

528 (iii) obtain permission from the president of the Senate and the speaker of the House of
529 Representatives to conduct an electronic meeting.

530 (d) If the requirements of Subsection (2)(c) are satisfied, the chair may grant the
531 member's request to participate from a remote location.

532 (3) A chair convening or conducting an electronic meeting shall, if necessary, establish
533 and communicate protocols and procedures governing the electronic meeting to ensure order
534 and fair opportunities for all members of the legislative committee to participate.

535 (4) A chair convening or conducting an electronic meeting shall ensure that:

536 (a) public notice of the meeting, as required by Utah Code Section 52-4-202, is given
537 including posting written notice at the anchor location; and

538 (b) notice of the electronic meeting describing how the members will be connected to
539 the electronic meeting is given to each member of the legislative committee at least 24 hours
540 before the meeting.

541 (5) A member of a legislative committee participating from a remote location is
542 included in calculating a quorum and may vote.

543 Section 28. **JR7-1-408** is enacted to read:

544 **JR7-1-408. Testimony may be taken under oath.**

545 (1) At the direction of a chair of the legislative committee, or upon majority vote of the
546 legislative committee, a legislative committee may take the testimony of a witness, presenter,
547 or visitor under oath.

548 (2) A chair of the legislative committee or committee staff shall administer the oath.

549 Section 29. **JR7-1-409** is enacted to read:

550 **JR7-1-409. Subpoena powers.**

551 A chair may subpoena testimony or documents in accordance with Utah Code Title 36,
552 Chapter 14, Legislative Subpoena Powers.

553 Section 30. **JR7-1-410** is enacted to read:

554 **JR7-1-410. Right of legislators to attend legislative committee meetings.**

555 (1) Any member of the Legislature may:

556 (a) attend any meeting of a legislative committee or a subcommittee, unless the
557 meeting is closed in accordance with Utah Code Title 52, Chapter 4, Open and Public Meetings

558 Act; and

559 (b) if recognized by the chair, present the legislator's views on the subject under
560 consideration.

561 (2) A legislator who attends a meeting of a legislative committee of which the
562 legislator is not a member or a meeting of a subcommittee of which the legislator is not a
563 member may not:

564 (a) make a motion;

565 (b) vote; or

566 (c) receive compensation for attending the meeting, unless approved by the Legislative
567 Expenses Oversight Committee for the chamber of which the legislator is a member.

568 Section 31. **JR7-1-411** is enacted to read:

569 **JR7-1-411. Creation and organization of subcommittees.**

570 (1) A legislative committee may establish one or more subcommittees if approved by:

571 (a) a majority vote of the legislative committee; and

572 (b) the Legislative Management Committee.

573 (2) The legislative committee shall establish each study assignment of a subcommittee
574 by majority vote.

575 (3) After a legislative committee establishes a subcommittee, the chairs of the
576 legislative committee shall:

577 (a) appoint at least four members of the legislative committee to serve on the
578 subcommittee;

579 (b) appoint at least one and no more than two additional members of the legislative
580 committee as chair or cochairs of the subcommittee; and

581 (c) establish the subcommittee's powers, duties, and reporting requirements.

582 (4) Each member of a subcommittee shall receive compensation and expenses.

583 Section 32. **JR7-1-501** is enacted to read:

584 **Part 5. Legislative committee Parliamentary Procedures**

585 **JR7-1-501. Obtaining the floor in legislative committee meeting -- Remarks to be**
586 **germane.**

587 (1) An individual may not speak to a legislative committee unless recognized by the
588 chair.

(2) In accordance with JR7-1-306, the chair shall recognize a member of a legislative committee who requests to speak to the legislative committee.

(3) After the chair recognizes a member of an the legislative committee, the member:

(a) shall ensure that the member's remarks are germane to the subject under consideration; and

(b) may make a motion consistent with the requirements of this chapter.

Section 33. **JR7-1-502** is enacted to read:

JR7-1-502. Members shall vote when present.

Each member of a legislative committee who is present when the legislative committee votes on a motion shall vote on the motion.

Section 34. **JR7-1-503** is enacted to read:

JR7-1-503. Privileged motions -- General requirements, procedures, and priority.

(1) A privileged motion:

(a) is nondebatable; and

(b) takes precedence over a nonprivileged motion.

(2) If a member of a legislative committee makes a privileged motion while another privileged motion is pending, the chair shall place the motions in the following order:

(a) adjourn;

(b) set a time to adjourn;

(c) recess;

(d) end debate or call the question;

(e) extend debate; and

(f) limit debate.

(3) Except for a motion to adjourn, a privileged motion, if approved, does not dispose of any other pending motion.

Section 35. **JR7-1-504** is enacted to read:

JR7-1-504. Original motions -- General requirements and procedures.

(1) An original motion:

(a) is debatable; and

(b) may be replaced with a substitute motion.

(2) A member of a legislative committee may not make an original motion if:

(a) a privileged motion is pending; or

(b) a substitute motion is pending.

Section 36. **JR7-1-505** is enacted to read:

JR7-1-505. Substitute motions -- General requirements and procedures.

(1) A substitute motion:

(a) is debatable; and

(b) takes precedence over an original motion.

(2) A member of a legislative committee may not make a substitute motion if:

(a) a privileged motion is pending; or

(b) another substitute motion is pending.

(3) If a substitute motion is adopted, the adoption disposes of the original motion.

(4) If a substitute motion is not adopted, the original motion is pending.

Section 37. **JR7-1-506** is enacted to read:

JR7-1-506. Reconsideration of action.

(1) Except as provided in Subsection (2), a member of a legislative committee may make a motion to reconsider an action of the legislative committee if:

(a) the issue or draft legislation that is the subject of the action being reconsidered is on the legislative committee's agenda as required by Utah Code Title 52, Chapter 4, Open and Public Meetings Act; and

(b) the legislative committee considered other business after the legislative committee voted to take the action that is being reconsidered.

(2) A legislative committee may not reconsider an action more than once.

Section 38. **JR7-1-507** is enacted to read:

JR7-1-507. Repeating a defeated motion.

If a legislative committee defeats a motion made by a member of the legislative committee, a member of the legislative committee may not make the motion again until the legislative committee considers other committee business.

Section 39. **JR7-1-508** is enacted to read:

JR7-1-508. Withdrawing a motion.

A member of a legislative committee who makes a motion may withdraw the motion at

650 any time before the motion is placed for a vote.

651 Section 40. **JR7-1-509** is enacted to read:

652 **JR7-1-509. Point of order -- Appeal of chair's decision.**

653 (1) (a) If a member of a legislative committee is concerned that the chair is not
654 following or enforcing legislative rule or procedure, the member may make a point of order.

655 (b) A point of order is not a motion.

656 (2) Except during a vote, a member of a legislative committee may make a point of
657 order at any time during a meeting of the legislative committee without recognition by the
658 chair.

659 (3) If a member of a legislative committee makes a point of order, the chair shall:

660 (a) immediately allow the member to state the member's point of order; and

661 (b) rule on the point of order without discussion or debate.

662 (4) (a) A member of the legislative committee may appeal the chair's ruling on a point
663 of order.

664 (b) An appeal of the chair's ruling on a point of order is not a motion.

665 (5) Except during a vote, a member of a legislative committee may appeal the chair's
666 ruling on a point of order at any time during a meeting of the legislative committee without
667 recognition by the chair.

668 (6) (a) If a member of the legislative committee appeals the chair's ruling on a point of
669 order, the chair shall place a vote asking the members of the legislative committee whether to
670 override the chair's ruling on the point of order.

671 (b) The legislative committee may overrule the chair's ruling by a majority vote.

672 (7) (a) If the legislative committee overrides the chair's ruling, the ruling of the
673 legislative committee is final.

674 (b) If the legislative committee does not override the chair's ruling, the ruling of the
675 chair is final.

676 Section 41. **JR7-1-510** is enacted to read:

677 **JR7-1-510. Point of information.**

678 (1) (a) If a member of a legislative committee desires clarification on any aspect of a
679 legislative committee meeting, the member may make a point of information.

680 (b) A point of information is not a motion.

681 (2) Except during a vote, a member of a legislative committee may make a point of
682 information at any time during a meeting of the legislative committee.

683 (3) If a member of a legislative committee makes a point of information, the chair shall
684 immediately allow the member to state the member's point of information.

685 Section 42. **JR7-1-511** is enacted to read:

686 **JR7-1-511. Division of a motion.**

687 (1) (a) Except during a vote, a member of a legislative committee may request division
688 of a motion at any time during a meeting of the legislative committee without being recognized
689 by the chair.

690 (b) A request for division is not a motion.

691 (2) If a member of a legislative committee requests division of a motion:

692 (a) the member shall clearly state how the motion is to be divided;

693 (b) the chair shall:

694 (i) restate how the motion is to be divided; and

695 (ii) place each motion that results from the divided motion.

696 (3) A member of a legislative committee may not divide a motion to amend draft
697 legislation if the division could create an unintelligible or ambiguous result.

698 Section 43. **JR7-1-512** is enacted to read:

699 **JR7-1-512. Prohibited motions and requests.**

700 (1) (a) Except a motion to adjourn, a member of a legislative committee may not make
701 a motion unless a quorum of the legislative committee is present.

702 (b) If a member of a legislative committee makes a motion to adjourn when a quorum
703 of the legislative committee is not present, the motion passes by an affirmative vote of a
704 majority of the legislative committee members present.

705 (2) The following are not in order during a vote:

706 (a) a motion;

707 (b) a point of order;

708 (c) a point of information; or

709 (d) a request for division.

710 (3) A member of a legislative committee may not make a motion to favorably
711 recommend draft legislation unless the legislation is drafted and distributed to the members of

712 the legislative committee.

713 Section 44. **JR7-1-601** is enacted to read:

714 **Part 6. Draft Legislation**

715 **JR7-1-601. Opening committee bill files.**

716 (1) Except as provided in Subsection (3), a member of a legislative committee may
717 make a motion to open a committee bill file if:

718 (a) the member describes the general subject matter of the legislation;

719 (b) the subject matter is germane to the subject matter over which the legislative
720 committee has jurisdiction; and

721 (c) the member intends that the legislative committee take action on the resulting draft
722 legislation before the next general session in a meeting of the legislative committee.

723 (2) A legislative committee may not authorize any individual or group of individuals to
724 open a committee bill file.

725 (3) A legislative committee may not open a committee bill file during the period that
726 begins January 1 and ends the day after the day on which the Legislature adjourns that year's
727 general session sine die.

728 Section 45. **JR7-1-602** is enacted to read:

729 **JR7-1-602. Four phases when considering draft legislation -- Exception.**

730 (1) Subject to Subsection (2), a legislative committee shall consider draft legislation in
731 the following four phases:

732 (a) the presentation phase as described in JR7-1-604;

733 (b) the clarifying questions phase as described in JR7-1-605;

734 (c) the public comment phase as described in JR7-1-606; and

735 (d) the legislative committee action phase as described in JR7-1-607.

736 (2) The chair, or the legislative committee by majority vote, may elect to have the
737 legislative committee consider draft legislation in a manner different from the four phases
738 described in this part.

739 Section 46. **JR7-1-603** is enacted to read:

740 **JR7-1-603. Presentation phase.**

741 (1) During the presentation phase:

742 (a) the chair shall permit the legislative sponsor of the draft legislation to present the

743 draft legislation to the legislative committee; and

744 (b) a member of the legislative committee may not make a motion to amend the draft
745 legislation or dispose of the draft legislation.

746 (2) At the election of the legislative sponsor, the chair shall allow another individual to
747 assist with the legislative sponsor's presentation if the individual has expertise related to the
748 draft legislation.

749 Section 47. **JR7-1-604** is enacted to read:

750 **JR7-1-604. Clarifying questions phase.**

751 (1) During the clarifying questions phase:

752 (a) the chair shall allow members of the legislative committee to ask the legislative
753 sponsor questions to help clarify:

754 (i) the intent or purpose of the draft legislation; or

755 (ii) the meaning of the language of the draft legislation; and

756 (b) a member of the legislative committee may not make a motion to amend the draft
757 legislation or dispose of the draft legislation.

758 (2) The chair shall allow the legislative sponsor to respond to any clarifying question
759 from a member of the legislative committee.

760 Section 48. **JR7-1-605** is enacted to read:

761 **JR7-1-605. Public comment phase.**

762 (1) Except as otherwise provided in this rule, during the public comment phase:

763 (a) the chair shall take comment from one or more members of the public; and

764 (b) a member of the legislative committee may not make a motion to amend the draft
765 legislation or dispose of the draft legislation.

766 (2) The chair, or the legislative committee by majority vote, may preclude or terminate
767 the public comment phase.

768 Section 49. **JR7-1-606** is enacted to read:

769 **JR7-1-606. Committee action phase.**

770 During the committee action phase, a member of the legislative committee may make a
771 motion authorized by this chapter, including a motion to amend the draft legislation or
772 favorably recommend the draft legislation.

Section 50. **JR7-1-607** is enacted to read:

JR7-1-607. Motions related to draft legislation.

A legislative committee may approve one or more of the following motions with respect to draft legislation it considers:

(1) move to the next item on the agenda;

(2) amend the draft legislation, subject to the requirements of JR7-1-609; or

(3) favorably recommend the draft legislation as a committee bill.

Section 51. **JR7-1-608** is enacted to read:

JR7-1-608. Amending draft legislation -- Verbal amendments -- Amendments must be germane.

(1) Subject to Subsection (2), when timely and when recognized by the chair, a member of a legislative committee may make a motion to amend the draft legislation under consideration.

(2) (a) A member of the legislative committee may make a motion to amend the draft legislation only if the subject of the proposed amendment is germane to the subject of the draft legislation.

(b) If a member of the legislative committee believes a proposed amendment is not germane to the subject of the draft legislation, the member may make a point of order in accordance with JR7-1-509.

(3) During a legislative committee's last meeting before the start of a general session, a member of the legislative committee may make a motion for a verbal amendment only if the verbal amendment is sufficiently clear to allow the members of the legislative committee to know how the draft legislation will read when the verbal amendment is incorporated into the draft legislation.

Section 52. **JR7-1-609** is enacted to read:

JR7-1-609. Committee bill files -- Effect of favorable recommendation -- Committee bill files without recommendation abandoned.

(1) After a legislative committee reviews draft legislation the legislative committee may give the draft legislation a favorable recommendation.

(2) If a legislative committee gives draft legislation a favorable recommendation, the Office of Legislative Research and General Counsel shall:

(a) attach a committee note to the committee bill, as required under JR4-2-401; and

(b) assign the committee bill a bill number in accordance with JR4-2-501.

(3) (a) Except as provided in Subsection (3)(b), a committee bill file that does not receive a favorable recommendation before December 31 of the year in which the committee bill file was opened is abandoned.

(b) Subsection (3)(a) does not apply to a committee bill file opened by:

(i) the Administrative Rules Review Committee for the purpose of reauthorizing agency rules in accordance with Utah Code Section 63G-3-502; or

(ii) the Legislative Process Committee.

(4) (a) Nothing in this rule prohibits a legislator from making a request for legislation in the legislator's name to sponsor legislation that was abandoned in accordance with Subsection (3).

(b) A request for legislation described in Subsection (4)(a) is subject to the drafting priority described in JR4-2-102.

Section 53. **JR7-1-610** is enacted to read:

JR7-1-610. Assignment of committee bills -- Report on committee bills and study items.

(1) The chairs of each legislative committee shall:

(a) assign each of the interim committee's bills a chief sponsor and a floor sponsor from the opposite chamber; and

(b) deliver to the Senate Rules Committee and the House Rules Committee a report that includes, for each of the interim committee's committee bills:

(i) the short title;

(ii) the chief sponsor;

(iii) the floor sponsor; and

(iv) how each member of the interim committee voted when the interim committee gave the committee bill a favorable recommendation, including whether a member was absent at the time of the vote.

(2) In addition to the items described in Subsection (1), the chairs of each interim committee shall deliver to the Legislative Management Committee:

(a) a copy of the report described in Subsection (2); and

835 (b) the disposition of each issue assigned to or studied by the interim committee during
836 the preceding calendar year.

837 (3) (a) The chairs of an interim committee shall comply with this rule on or before
838 December 15.

839 (b) The chairs of a special committee shall comply with this rule as soon as practicable.

840 Section 54. **Repealer.**

841 This resolution repeals:

842 **IR1-1-101, Definitions.**

843 **IR1-1-201, Interim committees established -- Membership -- Chairs -- Chair**
844 **duties.**

845 **IR1-1-202, Interim committees -- Creation and organization of subcommittees.**

846 **IR1-1-203, Special committees -- Creation and organization of subcommittees.**

847 **IR2-1-101, Interim committees -- General duties.**

848 **IR2-1-102, Favorable recommendation of legislation to the Legislature.**

849 **IR2-2-101, Interim committees -- Reviewing audit reports.**

850 **IR2-2-102, Interim committees -- Review of rules referred by Administrative Rules**
851 **Review Committee.**

852 **IR2-2-103, Interim committees -- First meeting of interim -- List of study items --**
853 **Long-term planning emphasis.**

854 **IR2-2-104, Interim committees and task forces -- Recommendation of legislation --**
855 **Abandonment and assignment of committee bills.**

856 **IR3-1-101, Interim committees -- Joint meetings -- Location of meetings -- Notice**
857 **of meetings.**

858 **IR3-1-102, Rights of members to attend meetings -- Nonmembers of the committee**
859 **or subcommittee may not vote.**

860 **IR3-1-103, Order and decorum -- Points of order.**

861 **IR3-1-104, Visitors.**

862 **IR3-1-105, Electronic meetings.**

863 **IR3-2-101, Quorum requirements.**

864 **IR3-2-102, Voting requirements.**

865 **IR3-2-201, Minutes.**

- 866 **IR3-3-101, Order of business.**
- 867 **IR3-3-102, Obtaining the floor in committee -- Remarks to be germane.**
- 868 **IR3-3-103, Members required to vote.**
- 869 **IR3-3-201, Public hearings.**
- 870 **IR3-4-101, Motions to be stated before debate -- Dividing a motion -- Withdrawing**
- 871 **a motion.**
- 872 **IR3-4-102, Motions in order during debate.**
- 873 **IR3-4-103, Motions to be decided without debate.**
- 874 **IR3-4-104, Substitute motions.**
- 875 **IR3-4-105, Which motions may be amended (Masons Sec. 396).**
- 876 **IR3-4-201, Motion to adjourn.**
- 877 **IR3-4-202, Motion to end debate.**